

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**REISSUE APPLICATION SUPPLEMENTAL DECLARATION
(BY INVENTORS)**

DECLARATION BY THE INVENTORS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am an original, first and joint inventor of the subject matter that is described and claimed in letters patent number 6,327,497, granted on December 4, 2001, and in the subject matter in the amendments filed on July 17, 2006 and June 4, 2007 in the subject reissue application, US Application No. 10/727,328, and for which invention I solicit a reissue patent.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF
CANDOR
(37 C.F.R. § 1.175)**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims. I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

**STATEMENT OF INOPERATIVENESS
OR INVALIDITY OF ORIGINAL PATENT
(37 C.F.R. § 1.175)**

I verily believe:

- * the original patent to be partly inoperative or invalid by reason of the patentee claiming less than the patentee had a right to claim in the patent (37 C.F.R. § 1.175(a)(1));
- * that any errors up to the time of the filing of this reissue supplemental declaration, arose without any deceptive intention on the part of the applicant. (37 C.F.R. § 1.175(a)(2).

**STATEMENT OF INOPERATIVENESS
OR INVALIDITY OF ORIGINAL PATENT
(Continued)**

Identification of at least one error in the patent:

Claims 3-5 in the original patent recite a "prompting system for directing a user through a protocol, etc." It was error to claim the prompting system in claims 3-5 too narrowly in conjunction with both an oxygen delivery system and a defibrillator by making claims 3-5 dependent on either claims 1 or 2. A separate independent claim should have been included that recited the prompting system more broadly in conjunction with an oxygen delivery system but not a defibrillator. The parent reissue application, US Application 10/457.958, filed June 10, 2003, now US Reissue Patent no. 38,533, also does not include such an independent claim. New claim 12 in the subject continuation reissue application provides such coverage and therefore corrects this error.

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURES BY THE INVENTORS

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Inventor's signature

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